

Justice Rebecca Berch (ret.), Chair
Judge Mark Armstrong (ret.), Vice Chair
Task Force on the Arizona Rules of Family Law Procedure, Petitioner
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SUPREME COURT OF ARIZONA

PETITION TO AMEND THE)	Supreme Court No. R-17-_____
ARIZONA RULES OF FAMILY)	
LAW PROCEDURE)	Motion to Permit Additional Time for
)	Filing a Rule Petition, with a Request
)	for Expedited Consideration
)	
_____)	

Background. This Court entered Administrative Order No. 2016-131 on December 21, 2016. The Order established the Task Force on the Arizona Rules of Family Law Procedure (“Task Force”) and appointed its members, whose terms began on February 6, 2017. The Order directed the Task Force to restyle the Family Law Rules. The Order further provided,

The Task Force shall seek input from various interested persons and entities with the goal of submitting a rule petition by January 10, 2018, with respect to any proposed rule changes.

The Task Force first met on February 17, 2017. It will have met 11 more times during the year, and each meeting typically lasts approximately 6 hours. At the first Task Force meeting, the Chairs established four workgroups and assigned each workgroup designated sections of the Family Law Rules. Workgroups met between Task Force meetings to review, research, and discuss rule revisions, which they presented at subsequent Task Force meetings. Workgroups will have met approximately 50 times during 2017.

There are at approximately 100 Family Law Rules. Some of the rules raise intricate issues that necessitated deliberations by workgroups and Task Force members at multiple meetings. In addition to restyling these rules, members have recommended a variety of organizational and substantive changes.

Despite more than 60 meetings and earnest efforts to complete a petition to restyle the Family Law Rules, the Task Force is unable to meet the January 10, 2018, filing date set by A.O. 2016-131.

Request. The Task Force therefore requests additional time to file its rule petition, as set out in the following paragraph. Additional time would allow the Task Force to submit a complete and better work product. Additional time also would permit the Task Force to obtain input from interested stakeholders, as the administrative order directs, before filing a rule petition. If the Task Force can do pre-petition vetting of its draft rules, it might eliminate the need for the bifurcated

comment period utilized in previous rule restyling petitions, and the filing of an amended petition midway through the comment process. A shortened comment period could still allow the Court to consider the family rules petition at its August 2018 Rules Agenda.

Undersigned therefore requests the Court to extend the time for the Task Force to file its rule petition until March 30, 2018. Undersigned suggests that the comment period for this petition remain open until June 1, 2018, and that the Task Force file its reply to the comments by July 6, 2018.

RESPECTFULLY SUBMITTED this 30th day of November, 2017.

By /s/ Justice Rebecca Berch
Justice Rebecca Berch (ret.), Chair

By /s/ Judge Mark Armstrong
Judge Mark Armstrong (ret.), Vice Chair